



Senate

File No. 645

General Assembly

February Session, 2000

(Reprint of File No. 103)

Senate Bill No. 558
As Amended by House
Amendment Schedule "A"

Approved by the Legislative Commissioner
April 19, 2000

***An Act Concerning The Soldiers, Sailors And Marines' Fund
And Granting Veterans Of Service In South Korea, Somalia And
Bosnia Wartime Veteran Status.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 27-140 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 All money so paid to and received by the American Legion shall be
4 expended by it in furnishing food, wearing apparel, medical or
5 surgical aid or care or relief to, or in bearing the funeral expenses of,
6 soldiers, sailors or marines who [served] performed service in time of
7 war, as defined in subsection (a) of section 27-103, in any branch of the
8 military service of the United States, [between April 6, 1917, and
9 November 11, 1918, or between December 7, 1941, and December 31,
10 1946, all dates inclusive, or served in the Spanish-American War
11 between April 21, 1898, and July 4, 1902, inclusive, and actual
12 participation in hostilities in the Moro Province to July 15, 1903, or any
13 persons who served in the military or naval forces between June 27,
14 1950, and December 31, 1955, both dates inclusive, or who served in

15 the military or naval forces during the Vietnam era, as defined in
16 subsection (a) of section 27-103, or who served in the military or naval
17 forces during Operation Desert Shield and Operation Desert Storm,
18 August 2, 1990, until the cessation of hostilities as determined by the
19 President of the United States or until a date established by an act of
20 the General Assembly,] or who were engaged in any of the wars
21 waged by the United States during said periods in the forces of any
22 government associated with the United States, who have been
23 honorably discharged therefrom or honorably released from active
24 service therein, and who were citizens or resident aliens of the state at
25 the time of entering said armed forces of the United States or of any
26 such government, or to their spouses who are living with them, or to
27 their widows or widowers who were living with them at the time of
28 death, or dependent children under eighteen years of age, who may be
29 in need of the same. All such payments shall be made by the American
30 Legion under authority of its bylaws, which bylaws shall set forth the
31 procedure for proof of eligibility for such aid and shall be approved by
32 the trustee, provided payments made for the care and treatment of any
33 person entitled to the benefits provided for herein, at any hospital
34 receiving aid from the General Assembly unless special care and
35 treatment are required, shall be in accordance with the provisions of
36 section 17b-239, as amended, and provided the sum expended for the
37 care or treatment of such person at any other place than a state-aided
38 hospital shall in no case exceed the actual cost of supporting such
39 person at the Veterans' Home and Hospital, unless special care and
40 treatment are required, when such sum as may be determined by the
41 treasurer of such organization may be paid therefor. The treasurer of
42 such organization shall account to said trustee during the months of
43 January, April, July and October for all moneys disbursed by it during
44 the three months next preceding the first day of either of said months,
45 and such account shall show the amount of and the name and address
46 of each person to whom such aid has been furnished. Upon the
47 completion of the trust provided for in section 27-138, the principal
48 fund so held by said trustee shall revert to the State Treasury.

49 Sec. 2. Section 27-103 of the general statutes, as amended by section
50 2 of public act 99-272, is repealed and the following is substituted in
51 lieu thereof:

52 (a) As used in the general statutes, except chapter 504, and except as
53 otherwise provided: (1) "Armed forces" means the United States Army,
54 Navy, Marine Corps, Coast Guard and Air Force; (2) "veteran" means
55 any person honorably discharged from, or released under honorable
56 conditions from active service in, the armed forces; (3) "service in time
57 of war" means service of ninety or more days except, if the war,
58 campaign or other operation lasted less than ninety days, "service in
59 time of war" means service for the entire duration of the war,
60 campaign or other operation, unless separated from service earlier
61 because of a service-connected disability rated by the Veterans'
62 Administration, during the Spanish-American War, April 21, 1898, to
63 August 13, 1898; the Philippine insurrection, August 13, 1898, to July 4,
64 1902, but as to engagements in the Moro Province, to July 15, 1903; the
65 Boxer Rebellion, June 20, 1900, to May 12, 1901; the Cuban pacification,
66 September 12, 1906, to April 1, 1909; the Nicaraguan campaign, August
67 28, 1912, to November 2, 1913; the Haitian campaign, July 9, 1915, to
68 December 6, 1915; the punitive expedition into Mexico, March 10, 1916,
69 to April 6, 1917; World War I, April 6, 1917, to November 11, 1918, but
70 as to service in Russia, to April 1, 1920; World War II, December 7,
71 1941, to December 31, 1946; and the Korean hostilities, June 27, 1950, to
72 January 31, 1955; and shall include service during the Lebanon conflict,
73 July 1, 1958, to November 1, 1958; the Berlin Airlift, August 14, 1961, to
74 June 1, 1962; and the Vietnam era, February 28, 1961, to July 1, 1975;
75 and shall include service while engaged in combat or a combat support
76 role during the peace-keeping mission in Lebanon, September 29, 1982,
77 to March 30, 1984; the invasion of Grenada, October 25, 1983, to
78 December 15, 1983; Operation Earnest Will, involving the escort of
79 Kuwaiti oil tankers flying the United States flag in the Persian Gulf,
80 February 1, 1987, to July 23, 1987; and the invasion of Panama,
81 December 20, 1989, to January 31, 1990; and shall include service
82 during Operation Desert Shield and Operation Desert Storm, August 2,

83 1990, to June 30, 1994; and shall include active duty or support thereof
84 for service in the demilitarized zone in South Korea after February 1,
85 1955, in Somalia after December 2, 1992, and in Bosnia after November
86 1, 1999, and shall include service during such periods with the armed
87 forces of any government associated with the United States.

88 (b) As used in this part, "home" means the Veterans' Home and
89 Hospital maintained by the state; "hospital" means any incorporated
90 hospital or tuberculosis sanatorium in the state and any state chronic
91 disease hospital, mental hospital or training school for the mentally
92 retarded, "veteran" means any veteran who served in time of war, as
93 defined by subsection (a), and who is a resident of this state, provided,
94 if he was not a resident or resident alien of this state at the time of
95 enlistment or induction into the armed forces, he shall have resided
96 continuously in this state for at least two years; "eligible dependent"
97 means any parent, wife or husband, or child of a veteran who has no
98 adequate means of support; and "eligible family member" means any
99 parent, brother or sister, wife or husband, or child or children under
100 eighteen years of age, of any veteran whose cooperation in the
101 program is integral to the treatment of the veteran.

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: See Explanation Below

Affected Agencies: Department of Veterans Affairs, Soldiers, Sailors and Marines Fund, Office of Policy and Management, State Comptrollers' Office, Department of Higher Education

Municipal Impact: Potential Minimal Revenue Loss

Explanation

State Impact:

There will be potential minimal cost for the Soldiers Sailors and Marines' Fund as a result of the passage of this bill. The fund may have to pay out a minimal amount of benefits as the bill extends benefits to more veterans of more wars by adopting the general definition of "wartime Service." The number of veterans this includes is anticipated to be small. This minimal cost can be handled within the anticipated budgetary resources of the Soldiers, Sailors and Marines fund.

The bill specifies that "service in time of war" shall include active duty or support thereof for service in the demilitarized zone in South Korea after February 1, 1955, in Somalia after December 2, 1992, and in Bosnia after November 1, 1999.

There should be a few individuals who will be eligible to be patients and residents at the Veterans' Home and Hospital as a result of this

bill. The State Veterans' Hospital has 171 patients at the present time with no waiting list. The hospital has a budgeted capacity for 207 patients. The veterans' home that supports a residential and rehabilitation program, has a total of 315 residents. It has a budgeted capacity of 350.

There will also be very few, if any veterans eligible for award payments from the Soldiers, Sailors and Marines Fund from the inclusion of the types and dates of war time service included in the bill.

Passage of this bill would result in an increased number of veterans eligible for a minimum property tax exemption of \$1,500. The state reimburses municipalities for the tax loss associated with the additional exemption (\$500 of the \$1500) resulting from PA 85-573. The average benefit resulting from the additional exemptions is approximately \$35 per veteran. The amendment extends pension benefits to an undetermined number of qualifying veterans who are members of the State Employees Retirement System (SERS). The increased cost to SERS and to the state's contribution must be calculated by the system's actuary. It should be noted that due to current purchasing guidelines, the majority of the potentially eligible veterans will be prohibited from purchasing credit.

Currently, tuition waivers are offered to war time veterans attending the state's public colleges and universities. As the number of eligible individuals rises, the potential result could be increased tuition cost of waived tuitions. In addition current law authorizes the state to reimburse higher education constituent units for tuition beyond a certain percent of tuition revenues. Any significant increases in the number of eligible individuals may potentially result in costs to the state.

Municipal Impact:

Passage of the bill will result in an unknown increase in the number of veterans eligible for a minimum property tax exemption of \$1,500.

There are also increased exemptions for veterans with Veterans' Administration rated disabilities. These exemptions result in a minimum grand list reduction to municipalities.

House "A" specifies that "service in time of war" shall include active duty or support thereof for service in the demilitarized zone in South Korea after February 1, 1955, in Somalia after December 2, 1992, and in Bosnia after November 1, 1999. It has a potential minimal revenue loss impact.

OLR Amended Bill Analysis

SB 558 (as amended by House "A")*

AN ACT CONCERNING THE SOLDIERS, SAILORS AND MARINES' FUND.**SUMMARY:**

This bill adds active duty or support service in the following to the definition of wartime service: (1) the demilitarized zone in South Korea after February 1, 1955; (2) Somalia after December 2, 1992; and (3) Bosnia after November 1, 1999. By law, veterans who serve in wartime, and in some cases their spouses and children, are eligible for a range of benefits unavailable to other veterans.

The bill also extends benefits from the Soldiers, Sailors and Marines' Fund to veterans of more wars by adopting the general definition of "wartime service" currently used to determine eligibility for wartime service benefits. It makes the law conform to practice by requiring that eligible veterans have at least 90 days service, unless they were separated earlier by a service-connected disability or the war or conflict ended sooner.

The fund provides benefits, such as food, clothing, medical and surgical aid, and general care and relief to veterans who served in any branch of the military in specified wars or conflicts. The veteran must have been honorably discharged and been a citizen or resident alien in Connecticut when he entered the service.

*House Amendment "A" extends wartime service benefits to veterans who served in Bosnia, Somalia, and South Korea.

EFFECTIVE DATE: October 1, 2000

ELIGIBILITY FOR FUND BENEFITS

Under current law, veterans who served in any of the following wars or operations are eligible for benefits from the Soldiers, Sailors, and Marines' Fund:

| <i>Service Eligibility</i> | <i>Year</i> |
|--|---|
| Spanish-American War Participation in the Moro Province | April 21, 1898 to July 4, 1902 Up to July 15, 1903 |
| World War I | April 6, 1917 to November 11, 1918 |
| World War II | December 7, 1941 to December 31, 1946 |
| Korean Hostilities | June 27, 1950 to January 31, 1955 |
| Vietnam Era | December 22, 1961 to July 1, 1975 |
| Operation Desert Shield and Operation Desert Storm | August 2, 1990 to June 30, 1994 |

The bill extends benefits to veterans who served in any of the following wars or operations:

| <i>War or Conflict</i> | <i>Date</i> |
|---|---------------------------------------|
| Philippine insurrection | August 13, 1898 to July 4, 1902 |
| Boxer Rebellion | June 20, 1900 to May 12, 1901 |
| Cuban pacification | September 12, 1906 to April 1, 1909 |
| Nicaraguan campaign | August 28, 1912 to November 2, 1913 |
| Haitian Campaign | July 9, 1915 to December 6, 1915 |
| Punitive expedition into Mexico | March 10, 1916 to April 6, 1917 |
| Service in a combat support role during the peace-keeping mission in Lebanon | September 29, 1982 to March 30, 1984; |
| Grenada invasion | October 25, 1983 to December 15, 1983 |
| Operation Earnest Will, involving the escort of Kuwaiti oil tankers flying the U. S. flag in the Persian Gulf | February 1, 1987 to July 23, 1987 |
| Panama Invasion | December 20, 1989 to January 31, 1990 |

BACKGROUND

Wartime Service Benefits

Veterans who serve in time of war, and in some cases their spouses and children, are eligible for a range of benefits unavailable to other veterans. In order to meet the definition, war service must last at least 90 days unless the veteran was separated from the service sooner because of a Veterans' Administration-rated, service-connected disability or unless the military operation lasted less than 90 days and the veteran served for its duration. Some of the major benefits are listed below.

Property Tax Exemption. Wartime veterans who are state residents are eligible for a minimum \$1,500 local property tax exemption. There are increased exemptions for veterans with Veterans Administration-rated disabilities. An exemption represents a reduction of the property's assessed value for tax purposes.

Education Benefits. The law waives tuition at the state's public colleges and universities for wartime veterans. The waiver applies to the regional community colleges, state technical colleges, Connecticut State University, and the University of Connecticut. The law also provides state education aid to children between ages 16 and 23 of veterans killed in action, who die in accidents or from illness while on active duty, or who are totally and permanently disabled. The child must attend an approved school. The amount of aid any child receives is based on need, up to \$400.

Medical Treatment. Wartime veterans are eligible for admission to the Veterans' Home and Hospital. And wartime veterans with no adequate means of support are also eligible for admission to any other hospital at the state's expense. They must have been state residents when they enlisted or were inducted or have lived in the state continuously for at least two years.

Civil Service Examination Preferences. The law gives wartime veterans bonus points on initial state civil service examinations. Wartime veterans receive five bonus points and disabled veterans get 10 bonus points as long as they meet the minimum competency scores. The same bonus awards apply to initial municipal civil service examinations.

Fee Exemptions. Wartime veterans are eligible for an exemption from any local itinerant vendor's license fee, if they live in Connecticut for two years before applying.

Vehicle Registration Fee Exemptions. A disabled wartime veteran with certain service-connected disabilities qualifies for registration fee exemptions for up to three vehicles in the (1) passenger, (2) camper, or (3) combination passenger and commercial registration categories, whether the veteran owns or leases them. The veteran's license plate exempts him from overtime parking fines, provided he or someone operating the vehicle while accompanying him does not leave it at the same location for more than 24 hours. By law, the spouse may retain the registration plates for life or until remarriage.

Veterans' Cemetery. Wartime veterans are eligible for burial in the state veterans' cemetery. They must have enlisted from Connecticut or have been state residents for at least five years at the time of death.

Firing Squads. Any veteran with wartime service is entitled to a firing squad at his funeral. The commander of any accredited veterans' organization or the friends or relatives of the deceased veteran may make the request to the adjutant general, who is the head of the military department. The adjutant general must order a uniformed firing squad from the National Guard, the Naval Militia, the State Guard, or the organized militia to attend the funeral.

Temporary Financial Assistance. Wartime veterans who need help because of disability or other causes incident to service are eligible for temporary financial assistance from the veterans' affairs commissioner. The amount and duration of the assistance is at the commissioner's discretion.

Legislative History

On March 22, the Senate referred the original bill to the Appropriations Committee, which reported it unchanged on March 27.

COMMITTEE ACTION

Public Safety Committee

Joint Favorable Report
Yea 22 Nay 0

Appropriations Committee

Joint Favorable Report

Yea 50 Nay 0